# EXHIBIT 8

#### Case 1:16-cv-00949-MHB Document 64-8. Filed 04/18/16 Page 2 of 135

From: Brian Clapp
To: Stewart Hoffer
Subject: Fwd: Business

**Date:** Friday, October 09, 2015 6:12:43 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, Jun 26, 2014 at 7:17 AM

Wanted to give you a heads up on this. Also we have launched 10 or so lawsuits to companies using our trademarks. Many of these people are using yours as well. Do you want to do anything about it or should I stop telling you about these people? I'm starting to see a LOT of people with your trademarks and these guys are diluting your awesome product names more and more every day

----- Forwarded message -----

From: "Rich Wyant" < <a href="mailto:richjwyant@gmail.com">richjwyant@gmail.com</a>>

Date: Jun 26, 2014 12:34 AM

Subject: Business

To: "Brian Clapp" < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>

Cc:

Look at this companies "Lipodraine" product.

Looks alot like Hi-Tech's "Lipodrene" ....not just the name but the label and color scheme.

#### http://www.pharmasterols.com/

I see they are from england.....at least thats where they are hosted.

--



Brian Clapp, CEO

#### Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 2 of 136

521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

#### Case 1:16-cv-00949-MHB Document 64-8. Filed 04/18/16 Page 4 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: Fwd: Business

**Date:** Friday, October 09, 2015 6:12:35 PM

Attachments: <u>image001.png</u>

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From: < <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Thu, Jun 26, 2014 at 8:13 AM

Subject: Re: Fwd: Business
To: brianclapp2010@gmail.com

please forward them to me Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message----

From: Brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>
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From: <u>Brian Clapp</u>
To: <u>Stewart Hoffer</u>

Subject: Fwd: Your Dianabol trademark is expiring soon, Stacklabs.com trying to register

**Date:** Friday, October 09, 2015 6:11:52 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Fri, May 30, 2014 at 5:56 PM

Subject: Re: Your Dianabol trademark is expiring soon, Stacklabs.com trying to

register

To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

Excellent Jared! I did find that out from our attorneys today after I sent that to you. Good to hear!!

On Fri, May 30, 2014 at 3:10 PM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a>> wrote:

No we got a 6 year extension and a section 8 and 15 filed and accepted.....see section 15 definition of incontestability below

Feb. 19, 2014 NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED

Feb. 19, 2014 REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. 76985

Feb. 05, 2014 REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED 76985

## DECLARATION OF INCONTESTABILITY OF A MARK UNDER SECTION 15

#### WHAT IS A §15 DECLARATION?

A §15 Declaration is a sworn statement, filed by the owner of a mark registered on the Principal Register, claiming "incontestable" rights in the mark for the goods/services specified. Marks registered on the Supplemental Register are not eligible for claims of incontestable rights under §15.

#### WHAT IS AN "INCONTESTABLE" REGISTRATION?

An "incontestable" registration is conclusive evidence of the validity of the registered mark, of the registration of the mark, of the owner's ownership of the mark and of the owner's exclusive right to use the mark with the goods/services. The claim of incontestability is subject to certain limited exceptions set forth in §§15 and 33(b) of the Trademark Act, 15 U.S.C. §§1065 and 1115(b).

#### AM I REQUIRED TO FILE A §15 DECLARATION?

**No.** The filing of a §15 Declaration is optional. An owner may choose to claim the benefits of incontestability by filing a §15 Declaration or may elect to retain the registration without those benefits. The term of the registration, for purpose of renewal, is not affected in either event.

### IS THERE A PARTICULAR TIME PERIOD FOR FILING A §15 DECLARATION?

Yes. A §15 Declaration may not be filed until the mark has been in continuous use in commerce for at least five consecutive years subsequent to the date of

registration for marks registered under the Act of 1946 (and subsequent to the date of publication under §12(c) of the Trademark Act, 15 U.S.C. §1062(c), for marks registered under the Acts of 1905 and 1881 for which the benefits of the Act of 1946 have been claimed). The §15 Declaration must be executed and filed within one year following a 5-year period of continuous use of the mark in commerce.

Thanks.

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

<u>1-888-855-7919</u> <u>770-797-9960</u> fax <u>www.hitechpharma.com</u>

----Original Message----

From: Brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>
To: HTPHARMAC < <a href="mailto:hTPHARMAC@aol.com">HTPHARMAC@aol.com</a>>

Sent: Fri, May 30, 2014 12:30 pm

Subject: Your Dianabol trademark is expiring soon, Stacklabs.com trying to register

Im sure you are handling this, but I figured I would give you a heads up. Stacklabs.com is trying to register it:

http://tmsearch.uspto.gov/bin/showfield?f=doc&state=4805:7e8hlx.13.1

?

Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

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Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

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#### Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

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Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

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#### Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 12 of 135

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Subject: Your Dianabol trademark is expiring soon, Stacklabs.com trying to register

To: <u>HTPHARMAC@aol.com</u>

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http://tmsearch.uspto.gov/bin/showfield?f=doc&state=4805:7e8hlx.13.1

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Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

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#### Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 12 of 135

From: Brian Clapp To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations Friday, October 09, 2015 6:10:21 PM

Attachments: image001.png

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 22, 2014 at 9:14 AM

Subject: Re: Notification of Trademark Violations

To: <u>HTPHARMAC@aol.com</u>

I have these trademarks and many many more that people would recognize and they are sitting on the shelf. If we could figure something out we could cause a LOT of attention to the line and add you know the brand recognition is massive. I would love to discuss man. I've not had a retail product before and I think we could kill it

I would be open to doing a venture with you as I have done well with Anavar and Dianabol for 10 years.

Jared

In a message dated 5/22/2014 8:57:56 A.M. Eastern Daylight Time, brianclapp2010@gmail.com writes:

Jared,

This is just a thought, but what do you think the response would be if an entire line of popular steroid names came out in one brand?

Winstrol

Anavar

Deca-Durabolin

Trenbolone

Dianabol

Masteron

Primoteston

Clen

Testoviron

(Many more....)

I've got just about every old steroid name under trademark accept for the ones you have and I'm not doing anything with them. I just figured I'd run it by you to see what you thought.

Take care man

On May 22, 2014 7:34 AM, "Brian Clapp" < brianclapp2010@gmail.com > wrote:

If you need any help now or in the future, let me know man.

Yes I got it thank you and am working on a complaint.

Jared

In a message dated 5/22/2014 1:14:03 A.M. Eastern Daylight Time, <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a> writes:

Did you get the copy?

On May 17, 2014 6:49 PM, "Brian Clapp" < brianclapp2010@gmail.com > wrote:

I will get that information for you on Monday unless I have a copy in which case I will forward.

On May 17, 2014 6:34 PM, < <a href="https://ht

Jared

In a message dated 5/17/2014 7:27:24 P.M. Eastern Daylight Time, <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a> writes:

I am now in a full on lawsuit with Phillip and he is very arrogant. He lives in Florida and the only reason for him succeeding at all in his business is because of his use of our trademarks.

I assure you that I have not been wanting to be a bother to you and I have been impressed by you and your company for many years. Working together to protect our assets is something I feel strongly about and I hope that if you find someone doing this to me that you would let me know.

Below is the information for Phillip as well as the email I sent him when I finally found him. I called and spoke to the attorneys for Anadrol and it seems he caved quickly when they responded. By you sending a letter of violation, we can show intent to protect our marks and push this guy away from making money from our efforts.

If there is any other info you need I will be happy to provide that to you.

```
----- Forwarded message ------
```

From: "Brian Clapp" < brianclapp2010@gmail.com >

Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <<u>sales@stacklabs.com</u>>, <<u>yu138086@gmail.com</u>>,

"mail@egbertlawoffices.com" < mail@egbertlawoffices.com >,

"Shane W. Hudson" < <a href="mailto:shudson@fizerbeck.com">shudson@fizerbeck.com</a>>,

<br/><br/>business@stacklabs.com>

Cc:

This message is directed to Phillip Birtasevic:

IBUY Body, LLC Stacklabs.com 307 Ft. Lauderdale #1102 My name is Brian Clapp, owner of Dynamic Sports Nutrition, LLC. I have been trying to reach you for years now, but my legal correspondence has continued to be returned to us. As you know, you have been in violation of trademark infringement for many years. I am emailing you to request that you discontinue using these marks immediately.

Failure to do so will result in immediate legal action. The following trademarks should be removed from ALL marketing material, websites, and affiliate websites immediately.

Anadrol-A50

http://www.stacklabs.com/bulking-mass/strength/anadral.html

Deca-Durabol

http://www.stacklabs.com/bulking-mass/strength/deca-durabol.html

Trenbolone- T 75

http://www.stacklabs.com/bulking-mass/strength/trenbolone-t75.html

Winstral- W 50

http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

Clenbuterol - Clen

http://www.stacklabs.com/fat-burner/clenbuterol-clen.html

Below you will find <u>MY</u> trademarks which are filed at the USPTO.gov website:

Androl®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.2.1

Deca-Durabolin™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.3.3

Deca®

http://tess2.uspto.gov/bin/showfield? f=doc&state=4806:4u7wpq.3.25

Tren 75®

http://tess2.uspto.gov/bin/showfield? f=doc&state=4806:4u7wpq.4.14

Tren-ALT®

http://tess2.uspto.gov/bin/showfield? f=doc&state=4806:4u7wpq.4.13

**Trenbolone®** 

http://tess2.uspto.gov/bin/showfield? f=doc&state=4806:4u7wpq.10.1

Winn-50®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.6.1

Winstrol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.7.1

Clen®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.8.4

Clenbuterol™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.9.1

I would like to also inform you that I have contacted both the owners of the following trademarks:

Dianabal-Dbol

http://www.stacklabs.com/bulking-mass/strength/dianabal-dbol.html

Anavar

http://www.stacklabs.com/cutting-lean-muscle/anavar-ox10.html

Below you will find the registrations of both marks:

**Anavar®** 

http://tess2.uspto.gov/bin/showfield? f=doc&state=4806:4u7wpq.12.1

Dianabol®

http://tess2.uspto.gov/bin/showfield? f=doc&state=4806:4u7wpq.13.3

D-bol®

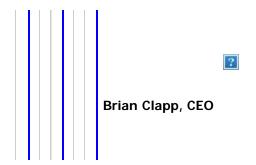
http://tess2.uspto.gov/bin/showfield? f=doc&state=4806:4u7wpq.15.1

Trademark violations of this magnitude is a serious issue. I can prove that I have had a massive global internet presence for these marks for MANY years. You have been a hard man to find, but now that I have found you, I will do everything in my power to protect my company and the damage that you are and have been doing for going on 8 years. I also have records (screen shots) of all of the trademarks that you where using BEFORE changing your names and those are mostly violating my trademarks as well. Phillip, you have been stepping on my trademarks for a long time and I have documentation of trying to reach you through my attorneys. I am demanding that you take immediate action in removing these products from any and all websites and marketing or I will be forced to take very serious and aggressive legal action for past and future damages. As noted above, I am also in contact with both Daniel Amato and Jared Wheat, owners of the other trademarks shown above.

I would like to hear something from you ASAP.

I do not find it amusing that you show an address one physical block away from my company. I am sure this will look very suspicious in determining the outcome of this issue. Not only did you step on my trademarks, but you put your office location one block away in Houston? What were you thinking.

#### Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 17 of 136



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Clen

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Subject: Notification of Trademark Violations

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This message is directed to Phillip Birtasevic:

IBUY Body, LLC Stacklabs.com 307 Ft. Lauderdale #1102

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Failure to do so will result in immediate legal action. The following trademarks should be removed from ALL marketing material, websites, and affiliate websites immediately.

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Deca-Durabol

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Trenbolone- T 75

http://www.stacklabs.com/bulking-mass/strength/trenbolone-t75.html

Winstral- W 50

http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

Clenbuterol - Clen

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Deca®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.3.25

Tren 75®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.4.14

Tren-Al T®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.13

Trenbolone®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.10.1

Winn-50®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.6.1

Winstrol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.7.1

Clen®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.8.4

Clenbuterol™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.9.1

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Dianabol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.13.3

D-bol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.15.1

Trademark violations of this magnitude is a serious issue. I can prove that I have had a massive global internet presence for these marks for MANY years. You have been a hard man to find, but now that I have found you, I will do everything in my power to protect my company and the damage that you are and have been doing for going on 8 years. I also have records (screen shots) of all of the trademarks that you where using BEFORE changing your names and those are mostly violating my trademarks as well. Phillip, you have been stepping on my trademarks for a long time and I have documentation of trying to reach you through my attorneys. I am demanding that you take immediate action in removing these products from any and all websites and marketing or I will be forced to take very serious and aggressive legal action for past and future damages. As noted above, I am also in contact with both Daniel Amato and Jared Wheat, owners of the other trademarks shown above.

I would like to hear something from you ASAP.

I do not find it amusing that you show an address one physical block away from my company. I am sure this will look very suspicious in determining the outcome of this issue. Not only did you step on my trademarks, but you put your office location one block away in Houston? What were you thinking.



Brian Clapp, CEO

The Most Minister Test as Test

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations

Date: Friday, October 09, 2015 6:09:29 PM

Attachments: <u>image001.png</u>

----- Forwarded message ------

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Thu, May 22, 2014 at 7:57 AM

Subject: Re: Notification of Trademark Violations

To: HTPHARMAC@aol.com

Jared,

This is just a thought, but what do you think the response would be if an entire line of popular steroid names came out in one brand?

Winstrol
Anavar
Deca-Durabolin
Trenbolone
Dianabol
Masteron
Primoteston
Clen
Testoviron

(Many more....)

I've got just about every old steroid name under trademark accept for the ones you have and I'm not doing anything with them. I just figured I'd run it by you to see what you thought.

Take care man

On May 22, 2014 7:34 AM, "Brian Clapp" < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>> wrote:

If you need any help now or in the future, let me know man.

Jared

In a message dated 5/22/2014 1:14:03 A.M. Eastern Daylight Time, <u>brianclapp2010@gmail.com</u> writes:

Did you get the copy?

On May 17, 2014 6:49 PM, "Brian Clapp" < brianclapp2010@gmail.com > wrote:

I will get that information for you on Monday unless I have a copy in which case I will forward.

On May 17, 2014 6:34 PM, < <a href="https://ht

Jared

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I am now in a full on lawsuit with Phillip and he is very arrogant. He lives in Florida and the only reason for him succeeding at all in his business is because of his use of our trademarks.

I assure you that I have not been wanting to be a bother to you and I have been impressed by you and your company for many years. Working together to protect our assets is something I feel strongly about and I hope that if you find someone doing this to me that you would let me know.

Below is the information for Phillip as well as the email I sent him when I finally found him. I called and spoke to the attorneys for Anadrol and it seems he caved quickly when they responded. By you sending a letter of violation, we can show intent to protect our marks and push this guy away from making money from our efforts.

If there is any other info you need I will be happy to provide that to you.

----- Forwarded message -----

From: "Brian Clapp" < brianclapp2010@gmail.com >

Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <sales@stacklabs.com>, <yu138086@gmail.com>,

"mail@egbertlawoffices.com" < mail@egbertlawoffices.com >, "Shane W.

Hudson" <<u>shudson@fizerbeck.com</u>>, <<u>business@stacklabs.com</u>>

Cc:

This message is directed to Phillip Birtasevic:

IBUY Body, LLC Stacklabs.com 307 Ft. Lauderdale #1102

My name is Brian Clapp, owner of Dynamic Sports Nutrition, LLC. I have been trying to reach you for years now, but my legal correspondence has continued to be returned to us. As you know, you have been in violation of trademark infringement for many years. I am emailing you to request that you discontinue using these marks immediately.

Failure to do so will result in immediate legal action. The following trademarks should be removed from ALL marketing material, websites, and affiliate websites immediately.

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http://www.stacklabs.com/bulking-mass/strength/anadral.html

Deca-Durabol

http://www.stacklabs.com/bulking-mass/strength/deca-durabol.html

Trenbolone- T 75

http://www.stacklabs.com/bulking-mass/strength/trenbolone-t75.html

Winstral- W 50

http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

Clenbuterol - Clen

http://www.stacklabs.com/fat-burner/clenbuterol-clen.html

Below you will find  $\underline{MY}$  trademarks which are filed at the USPTO.gov website:

**Androl®** 

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.2.1

Deca-Durabolin™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.3.3

Deca®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.3.25

Tren 75®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.14

Tren-ALT®

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Clenbuterol™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.9.1

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Anavar

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Brian Clapp, CEO



From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations

Date: Friday, October 09, 2015 6:09:09 PM

Attachments: <u>image001.png</u>

----- Forwarded message ------

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Thu, May 22, 2014 at 7:34 AM

Subject: Re: Notification of Trademark Violations

To: HTPHARMAC@aol.com

If you need any help now or in the future, let me know man.

Yes I got it thank you and am working on a complaint.

Jared

In a message dated 5/22/2014 1:14:03 A.M. Eastern Daylight Time, <u>brianclapp2010@gmail.com</u> writes:

Did you get the copy?

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Can you send me a copy of the lawsuit.

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If there is any other info you need I will be happy to provide that to you.

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From: "Brian Clapp" < brianclapp2010@gmail.com >

Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <<u>sales@stacklabs.com</u>>, <<u>yu138086@gmail.com</u>>,

Hudson" <<u>shudson@fizerbeck.com</u>>, <<u>business@stacklabs.com</u>>

Cc:

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Winstral- W 50

http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

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Deca®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.3.25

Tren 75®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.14

Tren-ALT®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.4.13

**Trenbolone®** 

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.10.1

Winn-50®

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Anavar

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D-bol®

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I would like to hear something from you ASAP.

I do not find it amusing that you show an address one physical block away

#### Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 29 of 136

	from my company. I am sure this will look very suspicious in determining the outcome of this issue. Not only did you step on my trademarks, but you put your office location one block away in Houston? What were you thinking.
	Brian Clapp, CEO

--



#### Case 1::16-cv-00949-MHC Document 64-8. Filed 04/19/16 Page 30 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations

Date: Friday, October 09, 2015 6:09:01 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: < HTPHARMAC@aol.com >

Date: Thu, May 22, 2014 at 6:40 AM

Subject: Re: Notification of Trademark Violations

To: brianclapp2010@gmail.com

Yes I got it thank you and am working on a complaint.

Jared

In a message dated 5/22/2014 1:14:03 A.M. Eastern Daylight Time, brianclapp2010@gmail.com writes:

Did you get the copy?

On May 17, 2014 6:49 PM, "Brian Clapp" < brianclapp2010@gmail.com > wrote:

I will get that information for you on Monday unless I have a copy in which case I will forward.

Can you send me a copy of the lawsuit.

Jared

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If there is any other info you need I will be happy to provide that to you.

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From: "Brian Clapp" < brianclapp2010@gmail.com >

Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <<u>sales@stacklabs.com</u>>, <<u>yu138086@gmail.com</u>>,

"<u>mail@egbertlawoffices.com</u>" < <u>mail@egbertlawoffices.com</u>>, "Shane W. Hudson" < <u>shudson@fizerbeck.com</u>>, < <u>business@stacklabs.com</u>> Cc:

This message is directed to Phillip Birtasevic:

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http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

Clenbuterol - Clen

http://www.stacklabs.com/fat-burner/clenbuterol-clen.html

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Deca®

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Tren 75®

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Tren-ALT®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.13

**Trenbolone®** 

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.10.1

Winn-50®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.6.1

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\_\_



#### Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 33 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations

Date: Friday, October 09, 2015 6:08:34 PM

Attachments: <u>image001.png</u>

----- Forwarded message ------

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 22, 2014 at 12:14 AM

Subject: Re: Notification of Trademark Violations

To: <u>HTPHARMAC@aol.com</u>

Did you get the copy?

On May 17, 2014 6:49 PM, "Brian Clapp" < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>> wrote:

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Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <<u>sales@stacklabs.com</u>>, <<u>yu138086@gmail.com</u>>, "<u>mail@egbertlawoffices.com</u>" <<u>mail@egbertlawoffices.com</u>>, "Shane W. Hudson" <<u>shudson@fizerbeck.com</u>>,

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D-bol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.15.1

Trademark violations of this magnitude is a serious issue. I can prove that I have had a massive global internet presence for these marks for MANY years. You have been a hard man to find, but now that I have found you, I will do everything in my power to protect my company and the damage that you are and have been doing for going on 8 years. I also have records (screen shots) of all of the trademarks that you where using BEFORE changing your names and those are mostly violating my trademarks as well. Phillip, you have been stepping on my trademarks for a long time and I have documentation of trying to reach you through my attorneys. I am demanding that you take immediate action in removing these products from any and all websites and marketing or I will be forced to take very serious and aggressive legal action for past and future damages. As noted above, I am also in contact with both Daniel Amato and Jared Wheat, owners of the other trademarks shown above.

I would like to hear something from you ASAP.

I do not find it amusing that you show an address one physical block away from my company. I am sure this will look very suspicious in determining the outcome of this issue. Not only did you step on my trademarks, but you put your office location one block away in Houston? What were you thinking.



Brian Clapp, CEO

--



#### Case 1:16-cv-00949-MHB Document 64-3. Filed 04/19/16 Page 39 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations

Date: Friday, October 09, 2015 6:08:27 PM

Attachments: image001.png

----- Forwarded message ------

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Sat, May 17, 2014 at 6:49 PM

Subject: Re: Notification of Trademark Violations

To: <u>HTPHARMAC@aol.com</u>

I will get that information for you on Monday unless I have a copy in which case I will forward.

Can you send me a copy of the lawsuit.

Jared

In a message dated 5/17/2014 7:27:24 P.M. Eastern Daylight Time, <u>brianclapp2010@gmail.com</u> writes:

I am now in a full on lawsuit with Phillip and he is very arrogant. He lives in Florida and the only reason for him succeeding at all in his business is because of his use of our trademarks.

I assure you that I have not been wanting to be a bother to you and I have been impressed by you and your company for many years. Working together to protect our assets is something I feel strongly about and I hope that if you find someone doing this to me that you would let me know.

Below is the information for Phillip as well as the email I sent him when I finally found him. I called and spoke to the attorneys for Anadrol and it seems he caved quickly when they responded. By you sending a letter of violation, we can show intent to protect our marks and push this guy away from making money from our efforts.

If there is any other info you need I will be happy to provide that to you.

----- Forwarded message ------

From: "Brian Clapp" < brianclapp2010@gmail.com >

Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <<u>sales@stacklabs.com</u>>, <<u>yu138086@gmail.com</u>>, "<u>mail@egbertlawoffices.com</u>" <<u>mail@egbertlawoffices.com</u>>, "Shane W. Hudson" <<u>shudson@fizerbeck.com</u>>,

<br/><br/>business@stacklabs.com>

Cc:

This message is directed to Phillip Birtasevic:

IBUY Body, LLC Stacklabs.com 307 Ft. Lauderdale #1102 My name is Brian Clapp, owner of Dynamic Sports Nutrition, LLC. I have been trying to reach you for years now, but my legal correspondence has continued to be returned to us. As you know, you have been in violation of trademark infringement for many years. I am emailing you to request that you discontinue using these marks immediately.

Failure to do so will result in immediate legal action. The following trademarks should be removed from ALL marketing material, websites, and affiliate websites immediately.

Anadrol-A50

http://www.stacklabs.com/bulking-mass/strength/anadral.html

Deca-Durabol

http://www.stacklabs.com/bulking-mass/strength/deca-durabol.html

Trenbolone- T 75

http://www.stacklabs.com/bulking-mass/strength/trenbolone-t75.html

Winstral- W 50

http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

Clenbuterol - Clen

http://www.stacklabs.com/fat-burner/clenbuterol-clen.html

#### Below you will find MY trademarks which are filed at the USPTO.gov website:

Androl®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.2.1

Deca-Durabolin™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.3.3

Deca®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.3.25

Tren 75®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.14

Tren-ALT®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.4.13

Trenbolone®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.10.1

Winn-50®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.6.1

Winstrol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.7.1

Clen®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.8.4

Clenbuterol™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.9.1

I would like to also inform you that I have contacted both the owners of the following trademarks:

Dianabal-Dbol

http://www.stacklabs.com/bulking-mass/strength/dianabal-dbol.html

Anavar

http://www.stacklabs.com/cutting-lean-muscle/anavar-ox10.html

Below you will find the registrations of both marks:

**Anavar®** 

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.12.1

Dianabol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.13.3

D-bol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.15.1

Trademark violations of this magnitude is a serious issue. I can prove that I have had a massive global internet presence for these marks for MANY years. You have been a hard man to find, but now that I have found you, I will do everything in my power to protect my company and the damage that you are and have been doing for going on 8 years. I also have records (screen shots) of all of the trademarks that you where using BEFORE changing your names and those are mostly violating my trademarks as well. Phillip, you have been stepping on my trademarks for a long time and I have documentation of trying to reach you through my attorneys. I am demanding that you take immediate action in removing these products from any and all websites and marketing or I will be forced to take very serious and aggressive legal action for past and future damages. As noted above, I am also in contact with both Daniel Amato and Jared Wheat, owners of the other trademarks shown above.

I would like to hear something from you ASAP.

I do not find it amusing that you show an address one physical block away from my company. I am sure this will look very suspicious in determining the outcome of this issue. Not only did you step on my trademarks, but you put your office location one block away in Houston? What were you thinking.



Brian Clapp, CEO

--



#### Case 1:16-cv-00949-MHB Document 64-3. Filed 04/19/16 Page 42 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations

Date: Friday, October 09, 2015 6:08:05 PM

Attachments: image001.png

----- Forwarded message -----

From: < <a href="https://mxxx.ed/HTPHARMAC@aol.com">HTPHARMAC@aol.com</a>>
Date: Sat, May 17, 2014 at 6:34 PM

Subject: Re: Notification of Trademark Violations

To: brianclapp2010@gmail.com

Can you send me a copy of the lawsuit.

Jared

In a message dated 5/17/2014 7:27:24 P.M. Eastern Daylight Time, brianclapp2010@gmail.com writes:

I am now in a full on lawsuit with Phillip and he is very arrogant. He lives in Florida and the only reason for him succeeding at all in his business is because of his use of our trademarks.

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Below is the information for Phillip as well as the email I sent him when I finally found him. I called and spoke to the attorneys for Anadrol and it seems he caved quickly when they responded. By you sending a letter of violation, we can show intent to protect our marks and push this guy away from making money from our efforts.

If there is any other info you need I will be happy to provide that to you.

----- Forwarded message -----

From: "Brian Clapp" < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>

Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <<u>sales@stacklabs.com</u>>, <<u>yu138086@gmail.com</u>>, "<u>mail@egbertlawoffices.com</u>" <<u>mail@egbertlawoffices.com</u>>, "Shane W. Hudson" <<u>shudson@fizerbeck.com</u>>,

<br/>
<br/>
<br/>
dusiness@stacklabs.com>

Cc:

This message is directed to Phillip Birtasevic:

IBUY Body, LLC Stacklabs.com

307 Ft. Lauderdale #1102

My name is Brian Clapp, owner of Dynamic Sports Nutrition, LLC. I have been trying to reach you for years now, but my legal correspondence has continued to be returned to us. As you know, you have been in violation of trademark infringement for many years. I am emailing you to request that you discontinue using these marks immediately.

Failure to do so will result in immediate legal action. The following trademarks should be removed from ALL marketing material, websites, and affiliate websites immediately.

Anadrol-A50

http://www.stacklabs.com/bulking-mass/strength/anadral.html

Deca-Durabol

http://www.stacklabs.com/bulking-mass/strength/deca-durabol.html

Trenbolone- T 75

http://www.stacklabs.com/bulking-mass/strength/trenbolone-t75.html

Winstral- W 50

http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

Clenbuterol - Clen

http://www.stacklabs.com/fat-burner/clenbuterol-clen.html

#### Below you will find MY trademarks which are filed at the USPTO.gov website:

Androl®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.2.1

Deca-Durabolin™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.3.3

**Deca**®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.3.25

Tren 75®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.14

Tren-ALT®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.13

**Trenbolone®** 

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.10.1

Winn-50®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.6.1

Winstrol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.7.1

Clen®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.8.4

Clenbuterol™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.9.1

I would like to also inform you that I have contacted both the owners of the following trademarks:

Dianabal-Dbol

http://www.stacklabs.com/bulking-mass/strength/dianabal-dbol.html

Anavar

http://www.stacklabs.com/cutting-lean-muscle/anavar-ox10.html

Below you will find the registrations of both marks:

**Anavar®** 

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.12.1

Dianahol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.13.3

D-bol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.15.1

Trademark violations of this magnitude is a serious issue. I can prove that I have had a massive global internet presence for these marks for MANY years. You have been a hard man to find, but now that I have found you, I will do everything in my power to protect my company and the damage that you are and have been doing for going on 8 years. I also have records (screen shots) of all of the trademarks that you where using BEFORE changing your names and those are mostly violating my trademarks as well. Phillip, you have been stepping on my trademarks for a long time and I have documentation of trying to reach you through my attorneys. I am demanding that you take immediate action in removing these products from any and all websites and marketing or I will be forced to take very serious and aggressive legal action for past and future damages. As noted above, I am also in contact with both Daniel Amato and Jared Wheat, owners of the other trademarks shown above.

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I do not find it amusing that you show an address one physical block away from my company. I am sure this will look very suspicious in determining the outcome of this issue. Not only did you step on my trademarks, but you put your office location one block away in Houston? What were you thinking.



Brian Clapp, CEO

--



**Brian Clapp, CEO** 521 N Sam Houston Parkway E.

# Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 45 of 135

Suite 500 Houston, TX 77060 281-513-1665

## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 47 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Notification of Trademark Violations

Date: Friday, October 09, 2015 6:07:55 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Sat, May 17, 2014 at 6:27 PM

Subject: Fwd: Notification of Trademark Violations

To: <u>HTPHARMAC@aol.com</u>

I am now in a full on lawsuit with Phillip and he is very arrogant. He lives in Florida and the only reason for him succeeding at all in his business is because of his use of our trademarks.

I assure you that I have not been wanting to be a bother to you and I have been impressed by you and your company for many years. Working together to protect our assets is something I feel strongly about and I hope that if you find someone doing this to me that you would let me know.

Below is the information for Phillip as well as the email I sent him when I finally found him. I called and spoke to the attorneys for Anadrol and it seems he caved quickly when they responded. By you sending a letter of violation, we can show intent to protect our marks and push this guy away from making money from our efforts.

If there is any other info you need I will be happy to provide that to you.

----- Forwarded message ------

From: "Brian Clapp" < brianclapp2010@gmail.com >

Date: Jan 7, 2014 9:54 PM

Subject: Notification of Trademark Violations

To: <<u>sales@stacklabs.com</u>>, <<u>yu138086@gmail.com</u>>,

"mail@egbertlawoffices.com" < mail@egbertlawoffices.com >, "Shane W. Hudson"

<shudson@fizerbeck.com>, <business@stacklabs.com>

Cc:

This message is directed to Phillip Birtasevic:

IBUY Body, LLC Stacklabs.com 307 Ft. Lauderdale #1102

My name is Brian Clapp, owner of Dynamic Sports Nutrition, LLC. I have been trying to reach you for years now, but my legal correspondence has continued to be returned to us. As you know, you have been in violation of trademark infringement for many years. I am emailing you to request that you discontinue using these marks immediately.

Failure to do so will result in immediate legal action. The following trademarks should be removed from ALL marketing material, websites, and affiliate websites immediately.

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http://www.stacklabs.com/bulking-mass/strength/anadral.html

Deca-Durabol

http://www.stacklabs.com/bulking-mass/strength/deca-durabol.html

Trenbolone- T 75

http://www.stacklabs.com/bulking-mass/strength/trenbolone-t75.html

Winstral- W 50

http://www.stacklabs.com/cutting-lean-muscle/winstral-w50.html

Clenbuterol - Clen

http://www.stacklabs.com/fat-burner/clenbuterol-clen.html

# Below you will find MY trademarks which are filed at the USPTO.gov website:

Androl®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.2.1

Deca-Durabolin™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpg.3.3

Deca®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.3.25

Tren 75®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.14

Tren-ALT®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.4.13

Trenbolone®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.10.1

Winn-50®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.6.1

Winstrol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.7.1

Clen®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.8.4

Clenbuterol™

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.9.1

# I would like to also inform you that I have contacted both the owners of the following trademarks:

Dianabal-Dbol

http://www.stacklabs.com/bulking-mass/strength/dianabal-dbol.html

Anavar

http://www.stacklabs.com/cutting-lean-muscle/anavar-ox10.html

# Below you will find the registrations of both marks:

**Anavar®** 

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.12.1

Dianabol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.13.3

D-bol®

http://tess2.uspto.gov/bin/showfield?f=doc&state=4806:4u7wpq.15.1

Trademark violations of this magnitude is a serious issue. I can prove that I have had a massive global internet presence for these marks for MANY years. You have been a hard man to find, but now that I have found you, I will do everything in my power to protect my company and the damage that you are and have been doing for going on 8 years. I also have records (screen shots) of all of the trademarks that you where using BEFORE changing your names and those are mostly violating my trademarks as well. Phillip, you have been stepping on my trademarks for a long time and I have documentation of trying to reach you through my attorneys. I am demanding that you take immediate action in removing these products from any and all websites and marketing or I will be forced to take very serious and aggressive legal action for past and future damages. As noted above, I am also in contact with both Daniel Amato and Jared Wheat, owners of the other trademarks shown above.

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I do not find it amusing that you show an address one physical block away from my company. I am sure this will look very suspicious in determining the outcome of this issue. Not only did you step on my trademarks, but you put your office location one block away in Houston? What were you thinking.



Brian Clapp, CEO

--



## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 50 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Fwd: Stacklabs.com easily caved
Date: Friday, October 09, 2015 6:07:04 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Sat, May 17, 2014 at 5:52 PM

Subject: Re: Fwd: Stacklabs.com easily caved

To: <u>HTPHARMAC@aol.com</u>

Hey Jared. I'm very happy to hear you are still protecting your marks. They are amazing and are getting stepped on with no concern. I will forward you address in next email. I hope all is well

Brian

What address do you have for Stacklabs.com? I will have Mr. Bennett go after them also.

Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

From: <u>brianclapp2010@gmail.com</u>
To: HTPHARMAC@aol.com

Sent: 2/14/2014 11:17:34 P.M. Eastern Standard Time

Subj: Stacklabs.com easily caved

It seems you are not interested in my calls, so I figured I would spend one last minute letting you know that a letter to Stacklabs.com seemed to have remedied the issue of trademark infringement.

It does not appear that you care about this issue, but if you change your mind, I will be happy to provide you with his contact info. The guy is a sneak and did a good job hiding. I just figured it would be kind of me to share the info. I dont like people who use others trademarks and I sure as hell dont like the ones that hide themselves from the public while doing it.

Take care Jared.

Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

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## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 52 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Stacklabs.com easily caved

Date: Friday, October 09, 2015 6:06:21 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: < <a href="mailto:HTPHARMAC@aol.com">HTPHARMAC@aol.com</a>>
Date: Sat, May 17, 2014 at 5:27 PM
Subject: Fwd: Stacklabs.com easily caved

To: <u>abennett@hbiplaw.com</u> Cc: <u>brianclapp2010@gmail.com</u>

#### Brian,

What address do you have for Stacklabs.com? I will have Mr. Bennett go after them also.

Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

<u>1-888-855-7919</u> <u>770-797-9960</u> fax <u>www.hitechpharma.com</u>

From: <u>brianclapp2010@gmail.com</u>
To: <u>HTPHARMAC@aol.com</u>

Sent: 2/14/2014 11:17:34 P.M. Eastern Standard Time

Subj: Stacklabs.com easily caved

It seems you are not interested in my calls, so I figured I would spend one last minute letting you know that a letter to Stacklabs.com seemed to have remedied the issue of trademark infringement.

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Take care Jared.

--

Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

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## Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 54 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Cease and desist letters going out today

Date: Friday, October 09, 2015 6:06:02 PM

Attachments: <u>image001.png</u>

----- Forwarded message ------

From: < <a href="https://mxxx.ed/HTPHARMAC@aol.com/">HTPHARMAC@aol.com/</a>>
Date: Sat, May 17, 2014 at 5:25 PM

Subject: Re: Cease and desist letters going out today

To: brianclapp2010@gmail.com

I just forwarded this to my new trademark counsel and will go after them....thanks for bringing it to my attention.

Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

In a message dated 5/15/2014 5:36:13 P.M. Eastern Daylight Time, brianclapp2010@gmail.com writes:

Jared,

The Stacklabs.com lawsuit has started for us and I am wondering if you plan on protecting your marks for Dianabol and Anavar? Do you have any intention on protecting these marks or are you abandoning them by chance?

On Jun 11, 2012 8:08 PM, <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>> wrote:

yes Swesspharma is making the changes we requested....I will have to check on stack labs Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message-----

From: brian clapp < brianclapp2010@gmail.com >

To: htpharmac@aol.com>

Sent: Mon, Jun 11, 2012 8:29 pm

Subject: Re: Cease and desist letters going out today

Did Stack Labs in Houston and Swesspharma respond? I don't think the address we had for Swesspharma changed to a new area and I have not heard back from Stack Labs.com. Do you have good addresses for these guys? I noticed you were in contact with an attorney who was getting you in touch with swesspharma. Thanks Jared

On Mon, Jun 11, 2012 at 6:46 PM, <a href="httpharmac@aol.com">httpharmac@aol.com</a>> wrote:

Thanks.

## Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message-----

Cc: art <art@arthurwleach.com> Sent: Tue, May 15, 2012 3:16 pm

Subject: Cease and desist letters going out today

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email jps@schillecilaw.com

--

Brian Clapp
President/ Pro Bodybuilding, LLC
ProBodybuilding.com
DiscountSupplements.com
Brian@Probodybuilding.com

Phone: (903)780-5247



From: Brian Clapp To: Stewart Hoffer

Subject: Fwd: Cease and desist letters going out today Friday, October 09, 2015 6:05:42 PM

Attachments: image001.png

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 15, 2014 at 4:36 PM

Subject: Re: Cease and desist letters going out today

To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

Jared.

The Stacklabs.com lawsuit has started for us and I am wondering if you plan on protecting your marks for Dianabol and Anavar? Do you have any intention on protecting these marks or are you abandoning them by chance?

On Jun 11, 2012 8:08 PM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a> wrote:

yes Swesspharma is making the changes we requested....I will have to check on stack labs

Thanks.

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc.

6015 Unity Drive

Suite B

Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: brian clapp < <a href="mailto:brianclapp2010@gmail.com">brian clapp < <a href="mailto:brianclapp2010@gmail.com">brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>

To: htpharmac < htpharmac@aol.com > Sent: Mon, Jun 11, 2012 8:29 pm

Subject: Re: Cease and desist letters going out today

Did Stack Labs in Houston and Swesspharma respond? I don't think the address we had for Swesspharma changed to a new area and I have not heard back from Stack Labs.com. Do you have good addresses for these guys? I noticed you were in contact with an attorney who was getting you in touch with swesspharma. Thanks Jared

On Mon, Jun 11, 2012 at 6:46 PM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a> wrote:

Thanks.

Jared Wheat

## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 59 of 135

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < http://doi.org/10.1007/jps@schillecilaw.com >

Cc: art < art@arthurwleach.com > Sent: Tue, May 15, 2012 3:16 pm

Subject: Cease and desist letters going out today

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email ips@schillecilaw.com

--

Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com

Phone: (903)780-5247

--



## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 69 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Cease and desist letters going out today

Date: Friday, October 09, 2015 6:05:18 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Tue, Jan 7, 2014 at 6:28 PM

Subject: Re: Cease and desist letters going out today

To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

Jared,

I hope your holiday and New Year was a good one. I wanted to tell you that I found Stacklabs.com and we are going after them very hard for Trademark violations. They have been using your Anavar and Dianabol marks and I wanted to know if you would like to join me?

I hope you are well



Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

--



## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 60 of 135

From: Brian Clapp To: Stewart Hoffer

Subject: Fwd: Cease and desist letters going out today Friday, October 09, 2015 6:04:56 PM

Attachments: image001.png

----- Forwarded message ------

From: < <a href="httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Mon, Jun 11, 2012 at 8:08 PM

Subject: Re: Cease and desist letters going out today

To: <u>brianclapp2010@gmail.com</u>

yes Swesspharma is making the changes we requested....I will have to check on stack labs

Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: brian clapp < <a href="mailto:brianclapp2010@gmail.com">brian clapp < <a href="mailto:brianclapp2010@gmail.com">brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>

To: htpharmac < htpharmac@aol.com > Sent: Mon, Jun 11, 2012 8:29 pm

Subject: Re: Cease and desist letters going out today

Did Stack Labs in Houston and Swesspharma respond? I don't think the address we had for Swesspharma changed to a new area and I have not heard back from Stack Labs.com. Do you have good addresses for these guys? I noticed you were in contact with an attorney who was getting you in touch with swesspharma. Thanks Jared

On Mon, Jun 11, 2012 at 6:46 PM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a>> wrote:

Thanks.

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071 1-888-855-7919

770-797-9960 fax

# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 62 of 135

#### www.hitechpharma.com

-----Original Message-----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < http://doi.org/

Cc: art < art@arthurwleach.com > Sent: Tue, May 15, 2012 3:16 pm

Subject: Cease and desist letters going out today

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email ips@schillecilaw.com

--

Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com

Phone: (903)780-5247

--



## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 62 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Cease and desist letters going out today

Date: Friday, October 09, 2015 6:04:35 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Mon, Jun 11, 2012 at 7:29 PM

Subject: Re: Cease and desist letters going out today

To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

Did Stack Labs in Houston and Swesspharma respond? I don't think the address we had for Swesspharma changed to a new area and I have not heard back from Stack Labs.com. Do you have good addresses for these guys? I noticed you were in contact with an attorney who was getting you in touch with swesspharma. Thanks Jared

On Mon, Jun 11, 2012 at 6:46 PM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a> wrote:

#### Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < htpharmac@aol.com >

Cc: art < art@arthurwleach.com > Sent: Tue, May 15, 2012 3:16 pm

Subject: Cease and desist letters going out today

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553

Email jps@schillecilaw.com

--

Brian Clapp
President/ Pro Bodybuilding, LLC
ProBodybuilding.com
DiscountSupplements.com
Brian@Probodybuilding.com
Phone: (903)780-5247

--



## Case 1::16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 63 of 135

From: <u>Brian Clapp</u>
To: <u>Stewart Hoffer</u>

Subject: Fwd: Cease and desist letters going out today

Date: Friday, October 09, 2015 6:04:30 PM

Attachments: <u>image001.png</u>

Cease and desist letter to KingLabs 5-15-12.pdf Cease and desist letter to StackLabs 5-15-12.pdf

Cease and desist letter 5-15-12.pdf

----- Forwarded message ------

From: < <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Mon, Jun 11, 2012 at 6:46 PM

Subject: Fwd: Cease and desist letters going out today

To: <u>brianclapp2010@gmail.com</u>

#### Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < http://doi.org/10.1007/jps@schillecilaw.com >

Cc: art < art@arthurwleach.com > Sent: Tue, May 15, 2012 3:16 pm

Subject: Cease and desist letters going out today

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email jps@schillecilaw.com

--

# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 65 of 135



## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 67 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: KingLabs

**Date:** Friday, October 09, 2015 6:03:56 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Mon, Jun 11, 2012 at 7:24 PM

Subject: Re: KingLabs
To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

The website went down pretty quickly. It seems that most of these people are making these bottles in their living room with ZERO regard for copyright or trademarks.

On Mon, Jun 11, 2012 at 6:45 PM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a> wrote:

email #3

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < htpharmac@aol.com >

Cc: art < art@arthurwleach.com > Sent: Fri, May 18, 2012 3:44 pm

Subject: KingLabs

I received a call from Philip King today in regard to my cease and desist letter. He said that he only made 5 bottles of his infringing product and that it did not sell. He said he would destroy the remaining bottles and that the website has been taken down. He said he intends to bring the website back but it will not contain the infringing product. He will certify this information in writing to me. He also will have his legal counsel contact me to discuss further. He did try to make somewhat of a threat that if we pushed hard on him, he would fight back. As with the other guy, I am not exactly sure he is telling all about this product. It seems odd that he would have this website up advertising this product for only 5 bottles. In any event, I will let you know when I hear back from him or his counsel.

Jody

The Schilleci Law Firm, LLC

## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 68 of 136

512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email jps@schillecilaw.com

--

Brian Clapp
President/ Pro Bodybuilding, LLC
ProBodybuilding.com
DiscountSupplements.com
Brian@Probodybuilding.com
Phone: (903)780-5247

--



## Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 69 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: KingLabs

**Date:** Friday, October 09, 2015 6:03:46 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: < <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Mon, Jun 11, 2012 at 6:45 PM

Subject: Fwd: KingLabs

To: brianclapp2010@gmail.com

email #3 Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < htpharmac@aol.com >

Cc: art < art@arthurwleach.com > Sent: Fri, May 18, 2012 3:44 pm

Subject: KingLabs

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Jody

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email jps@schillecilaw.com

--



## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 70 of 135

From: <u>Brian Clapp</u>
To: <u>Stewart Hoffer</u>

Subject: Fwd: infringement cease and desist letters

Date: Friday, October 09, 2015 6:02:59 PM

Attachments: <u>image001.png</u>

<u>Letter to Amazon 5-14-12.pdf</u> <u>Cease and desist letter 5-14-12.pdf</u>

----- Forwarded message ------

From: < <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Mon, Jun 11, 2012 at 6:47 PM

Subject: Fwd: infringement cease and desist letters

To: brianclapp2010@gmail.com

#### Thanks,

# Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < htpharmac@aol.com >

Cc: art < art@arthurwleach.com >

Sent: Mon, May 14, 2012 4:11 pm

Subject: infringement cease and desist letters

#### Jared:

I have completed the letters to Amazon and to Musclelabs and I am sending those out today. (Copies attached). I have the others prepared and will send out tomorrow.

#### Jody

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email ips@schillecilaw.com

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## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 72 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: FW: Rich Wyant

**Date:** Friday, October 09, 2015 6:02:37 PM

Attachments: <u>image001.png</u>

----- Forwarded message ------

From: < <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Mon, Jun 11, 2012 at 6:44 PM Subject: Fwd: FW: Rich Wyant To: brianclapp2010@gmail.com

#2 email Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message----

From: Joseph Schilleci < jps@schillecilaw.com > To: Jared Wheat < htpharmac@aol.com >

Cc: art < art@arthurwleach.com > Sent: Mon, May 21, 2012 9:37 am

Subject: FW: Rich Wyant

See below from Rich Wyant with Musclelabs. He denies everything but does provide his attorney's contact information. I will attempt to contact the attorney so that we can assess what Mr. Wyant's involvement is with Musclelabs.

Jody

From: RIchard Wyant [mailto:r\_j\_wyant@yahoo.com]

**Sent:** Thursday, May 17, 2012 9:33 PM

To: Joseph Schilleci Subject: Re: Rich Wyant

Hi Jody,

You must have misunderstood my position.

I have no authority, make no decisions, and make no profits from sales of this "Dianabol" product. I am a business developer. I have no involvment in this matter. You'd be misleading and misrepresenting your client if you are suggesting that I can resolve this or havy any responsibility to even do so. I was very polite to you. I will do what I had promised to do, but please do not insult my intelligence that I am

under any duty to do so.

I extended a courtesy to you by contacting Mr. Gavin of SwessPharma and emailing the parties that I assisted in optimizing their online set up. Let me help answer your questions:

- 1) YOU STATED: Specifically, this email does not say that your infringing product has been discontinued and that you are no longer producing it. My answer: I have no infringing product.
- 2) You stated: Furthermore it does not say when you stopped producing it or what you have done with the remaining inventory of the infringing product. I notified all the involved parties on the date a prior letter was received. I have never "produced" it. I created 1 label with the title "Dianibol".
- 3) You stated: It also does not say that you are not advertising the infringing product or that it is no longer being offered for sale on your website. My answer:
  a) I have no website b) therefore I certainly do not advertise this product anywhere
- 4) You stated: As I mentioned to you on the phone, as of today, the website <a href="http://www.musclelabsusa.com/">http://www.musclelabsusa.com/</a> My answer: You will need to contact the owners or webmaster of that website. I have no position or authority to do so. I have emailed the webmaster your letter.
- 5) You stated: Whether you operate this website or not, the fact is it has your company's name on the bottle and it must be removed from sale immediately. My answer: That is not my company.
- 6) You stated: I tend to believe that since your business is a web-based business that you are aware of the presence of this product on the internet. My answer: Again, I have no business which sells this product. After my contact with you, I browsed google to see where it was being sold.
- 7) You stated: Accordingly, please confirm by Monday the removal of this product from the marketplace and the destruction of all such infringing products. My answer: I will do as promised via our telephone conversation. I will notify Mr. Gavin, Amanda Odell and any others whom I possess contact information for. As of the time of this email I have forwarded the letter I received from you to 5 parties.

There will be no need for me to follow up on monday. I will do as promised to best of my ability this weekend. If you wish to retain my services, I will gladly take additional steps to assist you. Aside from that, there is nothing more I can do.

Most online operators likely utilized a base template with the title "Dianibol" and they have self modified it for their own uses. I am sure removing all the images from google is near impossible. My specialty is search engine optimization, and I can tell you first hand that even with a cease and desist, google, yahoo and bing will not remove the related content.

If you'd like to remove them from the marketplaces, I might suggest you simply email a cease and desist to each marketplace selling this item, this would bring you the best results for your client.

Your wording has lead me to believe that you are attempting to implicate me as a legal target in this matter, therefore I am going to do as I promised you, but please

send any legal correspondence to:

Michael O. Kivlighan The Commerce Building 201 E. Commerce Street Suite 346 Youngstown, Ohio 44503

Tel: <u>330.747.4444</u> Fax: 330.747.4443

mike@kivlighanlaw.com

Best of luck, I hoe I have assisted you in some way. - RJW

From: Joseph Schilleci < jps@schillecilaw.com> **To:** 'RIchard Wyant' < r i wyant@yahoo.com >

**Sent:** Thursday, May 17, 2012 4:12 PM

**Subject:** RE: Rich Wyant

Rich:

Thank you for your email. However, I must admit that it does not address the critical issues and in fact, raises additional issues. Specifically, this email does not say that your infringing product has been discontinued and that you are no longer producing it. Furthermore it does not say when you stopped producing it or what you have done with the remaining inventory of the infringing product. It also does not say that you are not advertising the infringing product or that it is no longer being offered for sale on your website. As I mentioned to you on the phone, as of today, the website <a href="http://www.musclelabsusa.com/">http://www.musclelabsusa.com/</a> continues to show a product with a label "DIANABOL" for sale. Whether you operate this website or not, the fact is it has your company's name on the bottle and it must be removed from sale immediately. I tend to believe that since your business is a web-based business that you are aware of the presence of this product on the internet. Accordingly, please confirm by Monday the removal of this product from the marketplace and the destruction of all such infringing products.

In addition, your email below mentions SwessPharma. Please note that we have already served SwessPharma and its owner, Greg Gavin, with a similar cease and desist letter related to SwessPharma's own infringing product. However, prior to your email, I did not know of yours and MuscleLabs USA's involvement and affiliation with SwessPharma but do appreciate you bringing this information to light. I do find it interesting that you failed to mention this information during our telephone discussion. Nevertheless, please confirm the nature and extent of yours and MuscleLabs USA's relationship with SwessPharma. Furthermore, please confirm that SwessPharma will likewise remove its infringing product from the marketplace immediately.

Please note that I have been authorized by Hi-Tech to proceed with litigation against you and MuscleLabs, as well as against SwessPharma, if these actions are not taken by Monday.

Jody

The Schilleci Law Firm, LLC 512 Montgomery Hwy, Suite 210 Birmingham, Alabama 35216 Office (205) 978-4211 Cell (205) 527-1553 Email jps@schillecilaw.com

From: RIchard Wyant [mailto:r\_j\_wyant@yahoo.com]

**Sent:** Thursday, May 17, 2012 12:55 PM

To: jps@schillecilaw.com Subject: RE: Rich Wyant

Hi Joe,

As per your prequest I am sending you this email regarding your clients trademark claim.

I have not been affiliated with <a href="www.SwessPharma.com">www.SwessPharma.com</a> or any of their affiliates in well over a year. All web related activities are controlled by Gregory Gavin and Amanda Odell. I was simply a business developer they retained who took part in implementing their project.

I have filed the documents that you sent via mail in pdf and forwarded them to Mr. Gavin.

Muscle labs USA Sports Supplements is not violating you clients trademark, Mr. Gavin commonly will place other names within the WHOIS database to confuse the public as to who actually owns his domains. I do not own any domain names or websites.

Please note that I have absolutely no involvement, or control, over any items infringing on your clients trademark. I have emailed Mr. Gavin your information.

If I can be of any further assistance, do not hesitate to email me.

Thanks, RJW

--



## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 78 of 135

From: Brian Clapp To: Stewart Hoffer

Subject: Fwd: FW: Hi-tech DIANABOL Friday, October 09, 2015 6:01:58 PM

Attachments: image001.png

----- Forwarded message ------

From: < <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Mon, Jun 11, 2012 at 6:43 PM Subject: Fwd: FW: Hi-tech DIANABOL To: brianclapp2010@gmail.com

see below as I am going to send you all the characters we went after Thanks,

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: Joseph Schilleci < <i style="color: blue;">ips@schillecilaw.com To: Jared Wheat < <a href="httpharmac@aol.com">httpharmac@aol.com</a>>

Cc: art <art@arthurwleach.com>

Sent: Mon, May 21, 2012 9:40 am Subject: FW: Hi-tech DIANABOL

See below from KingLabs. The website no longer displays the Dianabol product or any product for that matter. However, I am still unconvinced of this guy. Let me know how you want to proceed.

Jody

From: kinglabs@kinglabs.us [mailto:kinglabs@kinglabs.us]

**Sent:** Sunday, May 20, 2012 10:30 AM

To: <u>ips@schillecilaw.com</u> Subject: Hi-tech DIANABOL

To whom it may concern,

I do not sell or produce any product named dianabol or dianabol xxv. The product in question was a sample product produced as a mere thought, sept 2011. The website in question www.kinglabs.us never generated one dollar. The production of Dianabol xxv consisted of ten labels and 600 capsules. The active ingredient was methyl-1,4 -androstendiol 32 mg. One bottle was sold to a friend for 40.00. That

was in oct 2011.

Feb 2012 I founded KING INTERNATIONAL. I distribute bodybuilding supplements, tanning products and cosmetic creams. When the product in question was produced I had no registered busines or tax id number. Same goes for the website. It was a hobby at that point.

- 1. All labels with the Dianabol xxv likeness have been destroyed
- 2. All capsules of the underground produt Dianabol xxv have ben destroyed
- 3. The website that had the dianabol xxv picture has been taken down (also note, there was no way to pay for any items on that page-It was not linked to paypal or credit card option

I had done a google search today and came across numerous products (legal and illeagal) with the name DIANABOL. Also note many body building magazines are selling products with the same name. Flip to the back of any major bodybuilding magazine and you will find dozens of ads selling products named DIANABOL. All have options to pay with credit cards. I apologize for any inconvience.

sincerely,

Philip King

5-20-12

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## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 79 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: Muscle Labs

**Date:** Friday, October 09, 2015 6:01:27 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Mon, Jun 11, 2012 at 6:02 PM

Subject: Re: Muscle Labs
To: HTPHARMAC@aol.com

Jared,

Hope things are good! I was wondering if you had information on these guys (the product owners): <a href="http://www.militantmuscle.com/">http://www.militantmuscle.com/</a>

I noticed that these guys changed the name of their product and I was wondering if it was because of you contacting them? If you did, can you let me in on who they are so that i can go after them as well? Any help would be appreciated.

Do you have a physical address for these guys? See message from my attorney.

#### Jared:

I will get on getting all of these cease and desist letters out. We previously sent Musclelabs a letter but the letter was returned and we could not locate them. At that time, we also sent a letter to Zoelabs and their counsel then said he did not know of a connection between Zoelabs and Musclelabs but he would find out. You might recall that he never got back in touch with me and when I attempted to call him he said that he no longer represented Zoelabs and did not know anything more about Musclelabs. We did not go any further than that.

Jody

Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

Brian Clapp
President/ Pro Bodybuilding, LLC
ProBodybuilding.com
DiscountSupplements.com
Brian@Probodybuilding.com
Phone: (903)780-5247



#### Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 82 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: Muscle Labs

**Date:** Friday, October 09, 2015 6:00:10 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: < <a href="https://mxxxxxxxmt/HTPHARMAC@aol.com">HTPHARMAC@aol.com</a>>
Date: Thu, May 10, 2012 at 8:29 AM

Subject: Re: Muscle Labs

To: brianclapp2010@gmail.com

I believe we can.....I just called as if I were a wholesaler and am waiting on them to give me an address to send my cashiers check

Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

In a message dated 5/10/2012 9:28:33 A.M. Eastern Daylight Time, brianclapp2010@gmail.com writes:

I will do some digging. I have a huge list of my own that i am about to go after. I have some addresses and i will cross check to see if I can make it a bit easier for you. Cant we contact the domain registrar with a legal document to get the information on the owner of a domain even if it is set as "private"?

On Thu, May 10, 2012 at 8:13 AM, <

#### HTPHARMAC@aol.com> wrote:

Brian,

Do you have a physical address for these guys? See message from my attorney.

Jared:

I will get on getting all of these cease and desist letters out. We previously sent Musclelabs a letter but the letter was returned and we could not locate them. At that time, we also sent a letter to Zoelabs and their counsel then said he did not know of a connection between Zoelabs and Musclelabs but he would find out. You might recall that he never got back in touch with me and when I attempted to call him he said that he no longer represented Zoelabs and did not know anything more about Musclelabs. We did not go any further than that.

<u>Jody</u>

Thanks,

Jared Wheat President

Hi-Tech Pharmaceuticals, Inc.

6015 Unity Drive

Suite B

Norcross, GA 30071

\_

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

--

Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com Phone: (903)780-5247

--



## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 84 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: Muscle Labs

**Date:** Friday, October 09, 2015 6:00:02 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 10, 2012 at 8:21 AM

Subject: Re: Muscle Labs
To: HTPHARMAC@aol.com

I will do some digging. I have a huge list of my own that i am about to go after. I have some addresses and i will cross check to see if I can make it a bit easier for you. Cant we contact the domain registrar with a legal document to get the information on the owner of a domain even if it is set as "private"?

Brian,

Do you have a physical address for these guys? See message from my attorney.

#### Jared:

I will get on getting all of these cease and desist letters out. We previously sent Musclelabs a letter but the letter was returned and we could not locate them. At that time, we also sent a letter to Zoelabs and their counsel then said he did not know of a connection between Zoelabs and Musclelabs but he would find out. You might recall that he never got back in touch with me and when I attempted to call him he said that he no longer represented Zoelabs and did not know anything more about Musclelabs. We did not go any further than that.

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Thanks.

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

<u>1-888-855-7919</u> <u>770-797-9960</u> fax <u>www.hitechpharma.com</u>

\_\_

## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 84 of 136

Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com Phone: (903)780-5247

\_\_



## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 85 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: Muscle Labs

**Date:** Friday, October 09, 2015 5:59:46 PM

Attachments: <u>image001.png</u>

------ Forwarded message ----------- From: <<u>HTPHARMAC@aol.com</u>>

Date: Thu, May 10, 2012 at 8:13 AM

Subject: Muscle Labs

To: brianclapp2010@gmail.com

#### Brian.

Do you have a physical address for these guys? See message from my attorney.

#### Jared:

I will get on getting all of these cease and desist letters out. We previously sent Musclelabs a letter but the letter was returned and we could not locate them. At that time, we also sent a letter to Zoelabs and their counsel then said he did not know of a connection between Zoelabs and Musclelabs but he would find out. You might recall that he never got back in touch with me and when I attempted to call him he said that he no longer represented Zoelabs and did not know anything more about Musclelabs. We did not go any further than that.

#### Jody

#### Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

--



**Brian Clapp, CEO** 521 N Sam Houston Parkway E.

# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 87 of 136

Suite 500 Houston, TX 77060 281-513-1665

## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 88 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: nice organized list for you.

Date: Friday, October 09, 2015 5:59:15 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Thu, May 10, 2012 at 9:03 PM Subject: nice organized list for you.

To: HTPHARMAC@aol.com

Im going after my own trademarks, but I figured while I compiled my list I would give you a hand.

Btw, No worries on what I was asking about when I called you this week. I have formulated a different plan, but I do truly appreciate the time you spent with me on the phone.

Stacklabs.com (Owner: Casey Danford) Address: 745 International Boulevard,

Houston, TX 77024

Phone: +1(832) 685-4747

Mark: Dianabol

Stacklabs 9757 Pine Lake Drive Houston, TX 77055 USA

E-mail: sales@stacklabs.com

Roid-Shop.com, Ibuysteroids.com, ebuysteroids.com

Mark: Sustanon 250, Dianabol, Anavar

# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 89 of 136

I am working on getting this info. Its the only one I don't have yet.
Militantmuscle.com, Musclelabsusa.com
Owner: Richard J. Wyant 305-814-8767
324 N Bayshore
Columbiana, Ohio 44408
Trademarks: Dianabol, Dianadrol
Swesspharma.com (866-309-4590)
Greg Gavin
1621 Baltamore Dr. #5
Clarksville, Tn 37043
Marks: Dianabol, Anavar
Kinglabs.us Kinglabs@kinglabs.us
Philip King 609-579-4300
King Labs

# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 99 of 136

1836 North Ave	
Port Norris, New Jersey 08349	
Marks: Dianabol	
THESE GUYS WERE HARD TO VERIFY	
Primolabs.ca	
Allen Primeau <u>888-774-6611</u>	
7 Highland Park Dr.	
East St. Paul, MB	
R2E 0H4, Canada	
E-mail us at admin@primolabs.ca	
Mark: Dianabol	
<del></del>	
LegalSteroids.com	
<u>888-256-6785</u>	
Daniel Amato samson@sdi-marketing.com	

Samson	Distributing	Inc
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Lake Worth Road - suite#227 LAKE WORTH, FL 33467

Mark: Sustanon 250

\_\_\_\_\_\_

ZoeLabs

http://www.zoelabsordering.com

Longo, Joseph zoelabs@zoelabs.com 36550 Chester Rd #3101 Avon, OH 44011 US +1.3307810599

Technical Contact:
Crock, Donald don@clearlight.com
204 Overlook Dr.
Kent, OH 44240

Mark: Dianabol, Sustanon

Hope that helps man. If I find others I will shoot them your way. Have you contacted any today? Did you find anyone that rolled over right away? If so, let me know and I will hit those up first lol.

--

Brian Clapp
President/ Pro Bodybuilding, LLC
ProBodybuilding.com
DiscountSupplements.com
Brian@Probodybuilding.com
Phone: (903)780-5247

--



## Case 1:16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 92 of 135

From: Brian Clapp

To: Stewart Hoffer

**Subject:** Fwd: roid-shop, ibuysteroids, ebuysteroids.com

**Date:** Friday, October 09, 2015 5:58:59 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 10, 2012 at 2:04 PM

Subject: roid-shop, ibuysteroids, ebuysteroids.com

To: HTPHARMAC@aol.com

This is where these guys are hiding: <a href="http://en.gandi.net/abuse/send">http://en.gandi.net/abuse/send</a>

I have an email into them to find out the process of getting the owner information.

--

Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com

Phone: (903)780-5247

--



## Case 1::16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 94 of 135

From: <u>Brian Clapp</u>
To: <u>Stewart Hoffer</u>

Subject: Fwd: were you looking for info on ZoeLabs?

Date: Friday, October 09, 2015 5:58:19 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Thu, May 10, 2012 at 9:12 AM

Subject: were you looking for info on ZoeLabs?

To: HTPHARMAC@aol.com

#### Dianabol

http://www.zoelabsordering.com/bulkingsteroids.html#dianobol

#### Sustanon

http://www.zoelabsordering.com/bulkingsteroids.html#sustinon

Longo, Joseph zoelabs@zoelabs.com 36550 Chester Rd #3101 Avon, OH 44011 US +1.3307810599 Technical Contact: Crock, Donald don@clearlight.com 204 Overlook Dr. Kent, OH 44240 US

--

+1.3306771911

Brian Clapp
President/ Pro Bodybuilding, LLC
ProBodybuilding.com
DiscountSupplements.com
Brian@Probodybuilding.com
Phone: (903)780-5247

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**Brian Clapp, CEO** 521 N Sam Houston Parkway E.

# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 97 of 136

Suite 500 Houston, TX 77060 281-513-1665

## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 95 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: sustanon 250 infringement

Date: Friday, October 09, 2015 5:58:08 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Thu, May 10, 2012 at 8:52 AM Subject: sustanon 250 infringement

To: <u>HTPHARMAC@aol.com</u>

## http://legalsteroids.com/sustanon.html

Registrant Contact: Samson Distributing Inc. NULL NULL ()

Fax:

9835-16 Lake Worth Road - suite#227 LAKE WORTH, FL 33467 US

Administrative Contact:
Samson Distributing Inc.
Daniel Amato (samson@sdi-marketing.com)
561-333-7537

Fax: <u>561-204-4453</u>

9835-16 Lake Worth Road - suite#227

Lake Worth, FLORIDA 33467

US

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## Case 1::16-cv-00949-MHB Document 64-8. Filed 04/19/16 Page 97 of 135

Brian Clapp Stewart Hoffer Subject: Fwd: (no subject)

Date: Friday, October 09, 2015 5 57:37 PM

Attachments: image001.png

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>> Date: Thu, May 10, 2012 at 8:38 AM

Subject: Re: (no subject) To: htpharmac@aol.com

KingLabs.us

CONTACT US AT KINGLABS@KINGLABS.US OR (609) 579-4300.

Registrant: King Labs

1836 North Ave Port Norris, New Jersey 08349 **United States** 

Registered through: GoDaddy.com, LLC (http://www.godaddy.com)

Domain Name: KINGLABS.US Created on: 11-Oct-11 Expires on: 10-Oct-12 Last Updated on: 14-Oct-11

Administrative Contact: King, Philip <a href="mailto:ceyyy@yahoo.com">ceyyy@yahoo.com</a> King Labs 1836 North Ave Port Norris, New Jersey 08349 **United States** +1.6095794300

On Thu, May 10, 2012 at 7:53 AM, brian clapp < brianclapp2010@gmail.com > wrote: http://kinglabs.us/Products\_for\_sale.html

Dianabol

On Thu, May 10, 2012 at 7:11 AM, brian clapp < brianclapp2010@gmail.com > wrote: Here is a guy using 2 of your marks:

Dianabol: <a href="http://www.swesspharma.com/index.php?">http://www.swesspharma.com/index.php?</a>

page=shop.product\_details&flypage=flypage.tpl&product\_id=2&category\_id=1&option=com\_virtuemart&Itemid=10

Anovar: http://www.swesspharma.com/index.php?

page=shop.product\_details&flypage=flypage.tpl&product\_id=5&category\_id=1&option=com\_virtuemart&Itemid=15

On Wed, May 9, 2012 at 8:02 PM, brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a> wrote: http://www.amazon.com/Authentic-Dianabol-Steroids-SwessPharmaLabs-SwessPharmacom/dp/B004HBH4DO/ref=sr 1 12?s=hpc&ie=UTF8&qid=1336611686&sr=1-12

On Wed, May 9, 2012 at 7:51 PM, brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>> wrote: http://www.amazon.com/Dianabol-100-Capsules-Bottle/dp/B007JLG1TM/ref=sr\_1\_6? ie=UTF8&qid=1336611058&sr=8-6

On Wed, May 9, 2012 at 7:44 PM, brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>> wrote: here is a pretty bad one: dianabol, Anavar, Sustanon 250

http://www.roid-shop.com/category-c-21.html

They are also: Ebuysteroids.com, ibuysteroids.com

On Wed, May 9, 2012 at 7:13 PM, brian clapp <a href="mailto:specialstanding-2010@gmail.com">brianclapp 2010@gmail.com</a> wrote:

I have a lot more of those if you wish to have them. (infringing on your marks)

On Wed, May 9, 2012 at 7:02 PM, <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a> wrote: Thanks I will go after them as well Thanks.

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message-----

From: brian clapp < brianclapp2010@gmail.com > To: HTPHARMAC < HTPHARMAC@aol.com > Sent: Wed, May 9, 2012 7:39 pm

Subject: Re: (no subject)

Hey Jared,

Wanted to let you know these guys were out there and in Houston:

http://www.stacklabs.com/contact-us/info\_7.html

They are stepping on your Dianabol mark. I am also about to pursue them for marks that I own. Thought you would like to know.

On Tue, May 8, 2012 at 6:43 PM, brian clapp <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a> wrote: Thanks again for that info as well as your time today Jared.

http://www.casewatch.org/fdawarning/prod/2009/eft.shtml

#### PerformPlus #3006

- "Sarsaparilla Extract (smilax officinalis) [all ingredient in the product]: This herb ... helps lower cholesterol ..."
- "Ginkgo Biloba [an ingredient in the product]: This extract [is] helpful in cases of erectile dysfunction."
- "Tribulus Terrestris [an ingredient in the product] ... In China, it has long been used for impotency in men, ..."
- "Schisandra [an ingredient in the product]: This herb has been used for centuries to improve ... staying power in men."
- "Perform Plus: 'I Can't Believe It's Not Viagra' is an all-natural, scientifically balanced formula designed by nutritional experts and health care professionals to respond to each and everyone of these varying problems associated with poor sexual function and lack of Libido, and to promote peak performance in both men and women."

Thanks.

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071 1-888-855-7919 770-797-9960 fax www.hitechpharma.com

Brian Clapp
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Phone: (903)780-5247

7110Hc. (700)700 02 H

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#### Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 100 of 135

From: Brian Clapp
To: Stewart Hoffer
Subject: Fwd: (no subject)

**Date:** Friday, October 09, 2015 5:57:28 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 10, 2012 at 8:37 AM

Subject: Re: (no subject)
To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

SwessPharma labs:

SwessPharma 866-309-4590

http://www.swesspharma.com/

#### CustomerService@SwessPharma.com

Administrative Contact:

Contact Privacy Inc. Customer 0125718388, <a href="mailto:swesspharma.com@contactprivacy.com">swesspharma.com@contactprivacy.com</a>

96 Mowat Ave

Toronto, ON M6K 3M1

CA

+1.4165385457

Technical Contact:

Contact Privacy Inc. Customer 0125718388, swesspharma.com@contactprivacy.com

96 Mowat Ave

Toronto, ON M6K 3M1

CA

+1.4165385457

On Wed, May 9, 2012 at 8:02 PM, brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a> wrote: <a href="http://www.amazon.com/Authentic-Dianabol-Steroids-SwessPharmaLabs-">http://www.amazon.com/Authentic-Dianabol-Steroids-SwessPharmaLabs-</a>

SwessPharma-com/dp/B004HBH4DO/ref=sr 1 12?

s=hpc&ie=UTF8&gid=1336611686&sr=1-12

On Wed, May 9, 2012 at 7:51 PM, brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>> wrote:

http://www.amazon.com/Dianabol-100-Capsules-

Bottle/dp/B007JLG1TM/ref=sr 1 6?ie=UTF8&gid=1336611058&sr=8-6

On Wed, May 9, 2012 at 7:44 PM, brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>> wrote:

here is a pretty bad one: dianabol, Anavar, Sustanon 250

http://www.roid-shop.com/category-c-21.html

They are also: Ebuysteroids.com, <u>ibuysteroids.com</u>

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I have a lot more of those if you wish to have them. (infringing on your marks)

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#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: brian clapp < brianclapp2010@gmail.com >

Sent: Wed, May 9, 2012 7:39 pm

Subject: Re: (no subject)

Hey Jared,

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http://www.stacklabs.com/contact-us/info\_7.html

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On Tue, May 8, 2012 at 6:43 PM, brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a> wrote:

Thanks again for that info as well as your time today Jared.

On Tue, May 8, 2012 at 11:58 AM, < <u>HTPHARMAC@aol.com</u>> wrote: <a href="http://www.casewatch.org/fdawarning/prod/2009/eft.shtml">http://www.casewatch.org/fdawarning/prod/2009/eft.shtml</a>

#### PerformPlus #3006

- "Sarsaparilla Extract (smilax officinalis) [all ingredient in the product]: This herb
   ... helps lower cholesterol ...."
- "Ginkgo Biloba [an ingredient in the product]: This extract [is] helpful in cases of erectile dysfunction."
- "Tribulus Terrestris [an ingredient in the product] ... In China, it has long been used for **impotency** in men, ..."
- "Schisandra [an ingredient in the product]: This herb has been used for centuries to improve ... staying power in men."
- "Perform Plus: 'I Can't Believe It's Not Viagra' is an all-natural, scientifically balanced formula designed by nutritional experts and health care professionals to respond to each and everyone of these varying problems associated with poor sexual function and lack of Libido, and to promote peak performance in both men and women."

Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

- -

Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com

Phone: (903)780-5247

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DiscountSupplements.com
Brian@Probodybuilding.com

Phone: (903)780-5247

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DiscountSupplements.com
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Phone: (903)780-5247

--



Brian Clapp, CEO

# Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 107 of 136

521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665 From: Brian Clapp
To: Stewart Hoffer
Subject: Fwd: (no subject)

**Date:** Friday, October 09, 2015 5:57:14 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 10, 2012 at 8:35 AM

Subject: Re: (no subject)
To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

Here is more info on the link i sent before... I looks like they are stepping on 2 of them.

http://www.musclelabsusa.com/index.html

#### Muscle Labs USA Pro-Anabolic Sale!

Miami, Florida 32963

Phone: Wholesale & Distributors Call: <u>727-210-5351</u> E-Mail: <u>MuscleLabsUSACustomerCare@Gmail.com</u>

Registration Service Provided By: <u>LAUNCHPAD.COM</u>, INC.

Contact: +1.7135745287

Domain Name: MUSCLELABSUSA.COM

Registrant:

PrivacyProtect.org

Domain Admin (contact@privacyprotect.org)

ID#10760, PO Box 16

Note - All Postal Mails Rejected, visit Privacyprotect.org

Nobby Beach null,QLD 4218

ΑU

Tel. <u>+45.36946676</u>

Creation Date: 26-Jan-2011 Expiration Date: 26-Jan-2013

Domain servers in listed order:

ns2701.hostgator.com ns2702.hostgator.com

Administrative Contact:

PrivacyProtect.org

Domain Admin (contact@privacyprotect.org)

ID#10760, PO Box 16

## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 107 of 135

Note - All Postal Mails Rejected, visit Privacyprotect.org Nobby Beach null,QLD 4218 AU

Tel. <u>+45.36946676</u>

Technical Contact:
PrivacyProtect.org
Domain Admin (contact@privacyprotect.org)
ID#10760, PO Box 16
Note - All Postal Mails Rejected, visit Privacyprotect.org
Nobby Beach
null,QLD 4218
AU
Tel. +45.36946676

Billing Contact:
PrivacyProtect.org
Domain Admin (contact@privacyprotect.org)
ID#10760, PO Box 16
Note - All Postal Mails Rejected, visit Privacyprotect.org
Nobby Beach
null,QLD 4218

Tel. +45.36946676

ΑIJ

On Wed, May 9, 2012 at 7:51 PM, brian clapp < <u>brianclapp2010@gmail.com</u>> wrote: http://www.amazon.com/Dianabol-100-Capsules-Bottle/dp/B007JLG1TM/ref=sr\_1\_6?ie=UTF8&qid=1336611058&sr=8-6

--



From: Brian Clapp To: Stewart Hoffer Subject: Fwd: (no subject)

Date: Friday, October 09, 2015 5:57:02 PM

Attachments:

----- Forwarded message ------

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>> Date: Thu, May 10, 2012 at 7:11 AM

Subject: Re: (no subject) To: htpharmac@aol.com

Here is a guy using 2 of your marks:

Dianabol: <a href="http://www.swesspharma.com/index.php?">http://www.swesspharma.com/index.php?</a>

page=shop.product\_details&flypage=flypage.tpl&product\_id=2&category\_id=1&option=com\_virtuemart&Itemid=10

Anovar: <a href="http://www.swesspharma.com/index.php?">http://www.swesspharma.com/index.php?</a>

page=shop.product\_details&flypage=flypage.tpl&product\_id=5&category\_id=1&option=com\_virtuemart&Itemid=15

http://www.amazon.com/Authentic-Dianabol-Steroids-SwessPharmaLabs-SwessPharmacom/dp/B004HBH4D0/ref=sr 1 12?s=hpc&ie=UTF8&qid=1336611686&sr=1-12

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http://www.roid-shop.com/category-c-21.html

They are also: Ebuysteroids.com, ibuysteroids.com

On Wed, May 9, 2012 at 7:13 PM, brian clapp <a href="mailto:com">brianclapp2010@gmail.com</a> wrote: I have a lot more of those if you wish to have them. (infringing on your marks)

On Wed, May 9, 2012 at 7:02 PM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a> wrote:

Thanks I will go after them as well

Thanks.

#### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B

Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message-----

From: brian clapp < brianclapp2010@gmail.com > 

Sent: Wed, May 9, 2012 7:39 pm

Subject: Re: (no subject)

Hey Jared,

Wanted to let you know these guys were out there and in Houston:

### http://www.stacklabs.com/contact-us/info 7.html

They are stepping on your Dianabol mark. I am also about to pursue them for marks that I own. Thought you would like to know.

On Tue, May 8, 2012 at 6:43 PM, brian clapp < brianclapp2010@gmail.com > wrote: | Thanks again for that info as well as your time today Jared.

On Tue, May 8, 2012 at 11:58 AM, <a href="http://www.casewatch.org/fdawarning/prod/2009/eft.shtml">http://www.casewatch.org/fdawarning/prod/2009/eft.shtml</a>

#### PerformPlus #3006

- "Sarsaparilla Extract (smilax officinalis) [all ingredient in the product]: This herb ... helps lower cholesterol ...."
- "Ginkgo Biloba [an ingredient in the product]: This extract [is] helpful in cases of erectile dysfunction."
- "Tribulus Terrestris [an ingredient in the product] ... In China, it has long been used for impotency in men, ...'
- "Schisandra [an ingredient in the product]: This herb has been used for centuries to improve ... staying power in men."
- "Perform Plus: 'I Can't Believe It's Not Viagra' is an all-natural, scientifically balanced formula designed by nutritional experts and health care professionals to respond to each and everyone of these varying problems associated with poor sexual function and lack of Libido, and to promote peak performance in both men and women."

Thanks,

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

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Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com

## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 109 of 135

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Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com Phone: (903)780-5247



From: Brian Clapp
To: Stewart Hoffer
Subject: Fwd: (no subject)

**Date:** Friday, October 09, 2015 5:56:54 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Wed, May 9, 2012 at 8:02 PM

Subject: Re: (no subject)
To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

http://www.amazon.com/Authentic-Dianabol-Steroids-SwessPharmaLabs-

SwessPharma-com/dp/B004HBH4DO/ref=sr\_1\_12?

s=hpc&ie=UTF8&qid=1336611686&sr=1-12

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here is a pretty bad one: dianabol, Anavar, Sustanon 250

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Thanks.

### Jared Wheat

President

Hi-Tech Pharmaceuticals, Inc.

6015 Unity Drive

Suite B

Norcross, GA 30071

<u>1-888-855-7919</u>

770-797-9960 fax

www.hitechpharma.com

-----Original Message-----

From: brian clapp < brianclapp2010@gmail.com > To: HTPHARMAC < HTPHARMAC@aol.com >

Sent: Wed, May 9, 2012 7:39 pm

Subject: Re: (no subject)

Hey Jared,

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http://www.stacklabs.com/contact-us/info 7.html

They are stepping on your Dianabol mark. I am also about to pursue them for marks that I own. Thought you would like to know.

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### PerformPlus #3006

- "Sarsaparilla Extract (smilax officinalis) [all ingredient in the product]: This herb ... helps lower cholesterol ...."
- "Ginkgo Biloba [an ingredient in the product]: This extract [is] helpful in cases of erectile dysfunction."
- "Tribulus Terrestris [an ingredient in the product] ... In China, it has long been used for **impotency** in men, ..."
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Thanks.

Jared Wheat President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

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# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 114 of 135

Phone: <u>(903)780-5247</u>

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From: Brian Clapp To: Stewart Hoffer To: Subject: Fwd: (no subject)

Friday, October 09, 2015 5:56:33 PM

Attachments: image001.png

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Wed, May 9, 2012 at 7:51 PM

Subject: Re: (no subject) To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

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-----Original Message-----

From: brian clapp < brianclapp2010@gmail.com >

Sent: Wed, May 9, 2012 7:39 pm

Subject: Re: (no subject)

Hey Jared,

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http://www.stacklabs.com/contact-us/info\_7.html

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## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 118 of 135

From: Brian Clapp To: Stewart Hoffer Subject: Fwd: (no subject)

Date: Friday. October 09

Friday, October 09, 2015 5:56:15 PM

Attachments: image001.png

----- Forwarded message ------

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Wed, May 9, 2012 at 7:44 PM

Subject: Re: (no subject) To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

here is a pretty bad one: dianabol, Anavar, Sustanon 250

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From: brian clapp < <a href="mailto:brianclapp2010@gmail.com">brian clapp < <a href="mailto:brianclapp2010@gmail.com">brian clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>

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From: Brian Clapp
To: Stewart Hoffer
Subject: Fwd: (no subject)

**Date:** Friday, October 09, 2015 5:55:47 PM

Attachments: <u>image001.png</u>

----- Forwarded message ------

From: < <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>>

Date: Wed, May 9, 2012 at 7:02 PM

Subject: Re: (no subject)

To: brianclapp2010@gmail.com

Thanks I will go after them as well Thanks,

### Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

----Original Message----

From: brian clapp < <u>brianclapp2010@gmail.com</u> > To: HTPHARMAC < <u>HTPHARMAC@aol.com</u> >

Sent: Wed, May 9, 2012 7:39 pm

Subject: Re: (no subject)

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## PerformPlus #3006

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**Brian Clapp, CEO** 521 N Sam Houston Parkway E. Suite 500

# Case 1:16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 123 of 136

Houston, TX 77060 281-513-1665

## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 124 of 135

From: Brian Clapp Stewart Hoffer To: Subject: Fwd: stacklabs.com

Date: Friday, October 09, 2015 5:53:49 PM

Attachments: image001.png

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Thu, May 10, 2012 at 8:25 AM Subject: stacklabs.com To: <u>HTPHARMAC@aol.com</u>

Stacklabs 9757 Pine Lake Drive Houston, TX 77055 **USA** 

Blk A, 15/F Hillier Commercial Building, 65-67 Bonham Strand East, Sheung Wan, Hong Kong

E-mail: sales@stacklabs.com

Phone: +1(832) 685-4747

Brian Clapp President/ Pro Bodybuilding, LLC ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com

Phone: (903)780-5247

# Case 1::16-cv-00949-MHB Document 64-8 Filed 04/19/16 Page 129 of 135



## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 126 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: anavar infringment

**Date:** Friday, October 09, 2015 5:53:39 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **brian clapp** < <u>brianclapp2010@gmail.com</u>>

Date: Thu, May 10, 2012 at 8:23 AM

http://www.legalsteroidstore.com/order\_now.html

Legalsteroidstore.com

Registrant: Sean Kendorski 440 Deer Run Ct Limerick, Pennsylvania 19468 United States

Registered through: GoDaddy.com, LLC (<a href="http://www.godaddy.com">http://www.godaddy.com</a>)

Domain Name: <u>LEGALSTEROIDSTORE.COM</u>

Created on: 28-Mar-08 Expires on: 28-Mar-13 Last Updated on: 28-Mar-12

Administrative Contact:

Kendorski, Sean <u>skendorski@yahoo.com</u>

440 Deer Run Ct

Limerick, Pennsylvania 19468

United States +1.6105643344

**Technical Contact:** 

Kendorski, Sean <a href="mailto:skendorski@yahoo.com">skendorski@yahoo.com</a>

440 Deer Run Ct

Limerick, Pennsylvania 19468

United States +1.6105643344

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Brian Clapp President/ Pro Bodybuilding, LLC

## Case 1::16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 127 of 135

ProBodybuilding.com DiscountSupplements.com Brian@Probodybuilding.com Phone: (903)780-5247

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## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 128 of 135

 From:
 Brian Clapp

 To:
 Stewart Hoffer

 Subject:
 Fwd: Follow-up

**Date:** Friday, October 09, 2015 6:16:41 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Mon, Jul 28, 2014 at 10:07 PM

Subject: Follow-up

To: <u>HTPHARMAC@aol.com</u>

Jared,

I hope you are doing well man. I wanted to ask you if you had launched the suit against Phillip at Stacklabs.com? We have started on our side and my attorneys wanted me to ask you if you are planning on hitting him on your side. They suggested that if we both were hitting him at the same time it would accomplish our goals faster. If you are not suing him yet, we are still going forward but I wanted to ask. Thanks man

--



Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

--



## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 128 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Fwd: Re: Stacklabs.com

Date: Friday, October 09, 2015 6:15:11 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: **Brian Clapp** < <u>brianclapp2010@gmail.com</u> >

Date: Wed, Jul 2, 2014 at 9:23 AM Subject: Re: Fwd: Re: Stacklabs.com

To: <a href="mailto:httpharmac@aol.com">httpharmac@aol.com</a>

Ok. That is a great idea. This guy is an arrogant son of a bitch and seems to think he is above everyone he talks to. I will forward the information to the ones you can stop with either letters and emails.

The reason I have been pressing you so hard with this is because if we spend the time and effort at handling these guys RIGHT NOW, we can clear the playing field of the guys who have established their businesses years ago and it will allow for us to easily manage the small new companies that pop up and can easily be scared with legal action. These other guys are making enough money now to have nothing to lose but to fight us. I don't like that and it can be prevented.

One last thing. .. These companies that are using our marks are hiring affiliate companies and hundreds of websites are popping up promoting those others products and it's diluting us like crazy. This is causing more and more people to want to start these types of companies and their excuse for using our marks is "everyone else is using them"

I've stopped or am stopping just about everyone using my marks but your marks are not getting stopped because I have no authority to stop them. I've actually inquired to my lawyers if I could get permission from you to stop them but was told that wouldn't be the proper way too handle this because we are not the true owners of your marks.

I will get info to the ones you can stop with letters, but I have to know you will follow through because it would be an email that I have to put effort into preparing for you.

If I put it together will you follow through?

On Jul 2, 2014 7:08 AM, < <a href="httpharmac@aol.com">httpharmac@aol.com</a> wrote:

Brian,

I would you like the info on the others who you can stop with simply letters and we will get right on it. However, with the stacklabs folks we are filing our own separate suit in Atlanta. We are going to allege some other counts and I want to make them spend the money fighting on two fronts-in Texas against you- and in Atlanta against HT.

Thanks,

Jared Wheat

President Hi-Tech Pharmaceuticals, Inc. 6015 Unity Drive Suite B Norcross, GA 30071

1-888-855-7919 770-797-9960 fax www.hitechpharma.com

-----Original Message-----

From: Brian Clapp < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>

Sent: Tue, Jul 1, 2014 1:27 pm Subject: Fwd: Re: Stacklabs.com

### Jared,

I hope all is well. I wanted to forward on a message from my attorney on the <a href="stacklabs.com">stacklabs.com</a> lawsuit we filed. I also have more information on <a href="crazymass.com">crazymass.com</a> which is also using your marks however it's important to note that stacklabs, <a href="crazymass.com">crazymass.com</a>, and <a href="swesspharma.com">swesspharma.com</a> are using affiliate services and there are more than a few hundred affiliates promoting and diluting your marks. I've been able to stop them all without legal action with the exception of <a href="stacklabs.com">stacklabs.com</a>. If your at all interested, I can help you squash this issue and set a strong precedence for protecting these marks. Again. .. With the exception of <a href="stacklabs.com">stacklabs.com</a> we've been able to avoid lawsuits and the only expense was sending letters to the owners as well as the hosting and affiliate companies. Are you interested in joining us in the Stacklabs.com issue and would you like the info on the others who you can stop with simply letters? Ley me know

----- Forwarded message ------

From: "Mike Swartz" < <a href="mswartz@egbertlawoffices.com">mswartz@egbertlawoffices.com</a>>

Date: Jul 1, 2014 12:13 PM Subject: Re: Stacklabs.com

To: "Brian Clapp" < <a href="mailto:brianclapp2010@gmail.com">brianclapp2010@gmail.com</a>>, "mail@egbertlawoffices.com"

<mail@egbertlawoffices.com>

Cc:

### Mr. Brian Clapp,

We just wanted to remind you about the August 1, 2014 deadline to join new parties in the federal court case against Phillip Birtasevic and StackLabs. If Jared Wheat is interested in joining the lawsuit, he will have to do so before August 1, 2014. We note that we still have not received any response from Jared Wheat in reply to our May 29, 2014 letter.

If you have any questions or concerns, feel free to contact our office at any time.

Best regards, Mike Swartz

**Michael F. Swartz** | Egbert Law Offices, PLLC | 1314 Texas, 21st Floor | Houston, Texas 77002 | Voice: 713-224-8080 | Fax: 713-223-4873

CONFIDENTIALITY NOTICE: This electronic mail transmission is confidential, may be privileged, and should be read or retained only by the intended recipient. If you have received this transmission in error, please notify the sender immediately and delete it from your system.

From: Mike Swartz < mswartz@egbertlawoffices.com >

To: Brian Clapp < brianclapp2010@gmail.com >; "mail@egbertlawoffices.com"

<mail@egbertlawoffices.com>

**Sent:** Thursday, June 19, 2014 9:42 AM

Subject: Re: Stacklabs.com

Mr. Brian Clapp,

We can certainly understand your confusion - there are a lot of things going on right now. Here's a quick update on the federal court case against Phillip Birtasevic and StackLabs.

On May 28, 2014 we had the Initial Pretrial and Scheduling Conference in the Dynamic Sports Nutrition, LLC v. IBUY BODY, LLC Federal Court Case No. 4:14-cv-00151. The upcoming dates for the proceeding are set out as follows:

August 1, 2014 Deadline to join new parties

October 1, 2014 Deadline for pleadings

December 1, 2014 Deadline to designate Plaintiff's experts

January 15, 2015 Deadline to designate Defendant's experts

March 2, 2015 Deadline for discovery

April 1, 2015 Deadline to file motions

June 19, 2015 Deadline to file Joint Pretrial Disclosures

June 29, 2015 Begin 3 day Bench Trial

This might be a good time to remind you that on May 29, 2014 we sent the letter to Jared Wheat about policing his marks, and we attached a copy of the lawsuit against Phillip Birtasevic and StackLabs. We have not yet received a response.

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To: "mail@egbertlawoffices.com" < mail@egbertlawoffices.com >; Mike Swartz

<mswartz@egbertlawoffices.com>

Sent: Wednesday, June 18, 2014 6:54 PM

Subject: Stacklabs.com

With all of these things happening so fast, can you tell me again where the

## Case 1::16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 132 of 135

Stacklabs.com case is and what is going on with it? I am glad we are getting a lot of this handled but I am getting confused at times! hahaha :-)

--



Brian Clapp, CEO 521 N Sam Houston Parkway E. Suite 500 Houston, TX 77060 281-513-1665

--



## Case 1:16-cv-00949-MHB Document 64-8 Filed 04/18/16 Page 132 of 135

From: Brian Clapp

To: Stewart Hoffer

Subject: Fwd: Fwd: Re: Stacklabs.com

Date: Friday, October 09, 2015 6:13:30 PM

Attachments: <u>image001.png</u>

----- Forwarded message -----

From: < htpharmac@aol.com >
Date: Wed, Jul 2, 2014 at 7:08 AM
Subject: Re: Fwd: Re: Stacklabs.com

To: brianclapp2010@gmail.com

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